

GOVERNMENT OF TELANGANA.

ABSTRACT

Police – Imposition of the penalty of withholding of 5% (five percent) in pension for a period of Two years on Sri.K.Devakinandan, Office Superintendent, (now retired), A.P. Forensic Sciences Laboratory. Hyderabad. – Orders-Issued.

HOME (SERVICES-III) DEPARTMENT

G.O.Ms.No. 4

Dated: 07 -07-2014.

Read the following:

1. From the Director General of Police. A.P. Hyderabad, Lr.Rc.No. 2453 / Appeal- 4/ 2012, dated 09-05-2013.
2. Govt. Memo.No.16372/Ser.III/A2/2013, dated: 01-03-2014.
3. From the Director General of Police. A.P., Hyderabad, Lr. Rc.No. 2453/Appeal-4/ 2012, dated 07-04-2014, along with explanation of Sri. K.Devakinandan, Off. Supdt. AP.F.S.L (now Retired), dt: 25.03.2014.
4. Govt. Letter No.16372/Ser.III/A2/2013, dated: 09-05-2014.
5. From the Secretary, APPSC, Hyd., Lr.No.680/RT/1/2014, dt: 03-06-2014.

ORDER:

In the reference 1st read above, the Director General of Police, A.P. Hyderabad, has stated that the Additional Director General of Police, Railways, A.P. Hyderabad, has reported that "Sri. K.Devakinandan, Office Superintendent A.P.F.S.L, Hyd., formerly worked in the o/o the Addl. Director General of Police, Railways, AP. Hyd. along with Two (2) others, is handed up on the following charge under Rule 20 of the APCS (CC&A) Rules, 1991:-

"Sri B.R. Dayanand Rao, RPC 94, worked in the O/o the Addl. Director General of Police, Railways, A.P, Hyderabad, and he retired from service on 30.04.2008 on attaining the age of superannuation. After his retirement, his wife got severely sick due to cancer in the month of May, 2008 and was admitted in Indo-American Hospital, Hyderabad for treatment. While undergoing treatment, his wife had expired on 15.06.2009. Sri B.R. Dayanand Rao, Rtd.RPC claimed the reimbursement charge of Rs.2.25 lakhs from the Railway Range Office, Hyderabad, towards the expenditure spent for the treatment of his wife in the said hospital by submitting the required medical bills and related documents. The bill was submitted and the amount was paid to the retired RPC. After few days of claiming the reimbursement amount, Sri K. Suvarna Babu, Office Superintendent of Railway Range Office, informed the retired RPC Sri B.R. Dayanand Rao, Rtd.RPC, to the Range Office and that in the reimbursement bill, an amount of Rs.25,000/- was claimed in excess and the DIG, Railways, had instructed to inform the Rtd.RPC 94 to return the excess amount of Rs.25,000/- so that it can be remitted back to the Government account through challan, otherwise his pension will be affected. Sri B.R. Dayanand Rao, Retired RPC 94, hearing the instructions of Sri K. Suvarna Babu, Office Superintendent, believed him innocently and out of fear that pension would be affected, brought the amount of Rs. 25,000/- the very next day to the Office and gave the amount to Sri. K. Suvarna Babu, Office Superintendent through K. Surya Prakash, RPC 479, who worked as C.C to Addl. Director General of Police, Railways in presence of Sri K. Devakinandan, Manager, Range Office. After that, Sri B.R. Dayanand Rao, Retired RPC regularly met Sri K. Suvarna Babu, Office Supdt., in the office to collect the challan receipt towards the payment of Rs.25,000/- to the Government Treasury. But Sri K. Suvarna Babu, Office Supdt., neither gave him the challan receipt nor informed him anything and dodged the matter. Later, Sri K. Suvarna Babu, Office Supdt., sustained heart attack and went on Sick leave. During the period also, the said retired RPC 94 visited the office regularly and met the Manager Sri.K.Devakinandan (in front of whom the amount of Rs.25,000/- was paid to Sri K.Suvarna Babu, Office Superintendent) requesting to give him challan receipt. But the Manager tried to escape from the issue, by saying that he does not know anything and asked him to contact Sri K. Suvarna Babu, Office Superintendent only.

After, Sri K. Suvarna Babu, Office Superintendent, reported for duty, Sri B.R. Dayanand Rao, Retired R.P.C, who was vexed with the indifferent attitude of Sri K.Suvarna Babu, Office Superintendent, warned him that, if he does not give the challan receipt of Rs.25,000/- collected from him for remittance in the Government Treasury, he would report the matter to Addl. Director General of Police, Railways. Finally, Sri.K.Suvarna babu, Office Superintendent, asked Sri B.R. Dayanand Rao, Rtd.RPC to come to the office on the next day and returned the amount of Rs.25,000/- to Sri B.R. Dayanand Rao, Retired R.P.C. through K. Surya Prakash, RPC 479, who was working as C.C. to the Addl. Director General of Police, Railways at that time.

2. The Director General of Police. A.P. Hyderabad, has further stated that, Sri G. Sai Kumar, RPC 15, and Sri. P. Narayana Goud, RPC 72, of Range Office have made a joint complaint on the above incident, narrating the illegal act of Sri K. Devakinandan, Office Superintendent & others, which was enquired into by DSRP, Secunderabad.

3. The Director General of Police. A.P. Hyderabad, has also stated that, this act of (1) Sri K.Devakinandan, Manager, Sri.K.Suvarna Babu, Office Superintendent, Police Communications and Sri. K. Surya Prakash, RPC 479 of range Office, has contravened Rule 3(2) of AP Civil Service (Conduct) Rules, 1964, and their behavior is unbecoming of such employee and derogatory to the prestige of Government. They had also contravened Rule 3 (3) of AP Civil Service (Conduct) Rules, 1964 and acted in a manner, which has tarnished the image of the Department. Thus, Sri. K. Devakinandan, Manager, Sri. K. Suvarna Babu, Office Superintendent and Sri. K. Surya Prakash, RPC479 of Range Office by their above mentioned acts had behaved in a manner which is unbecoming of such employee and derogatory of the prestige of the Government, hereby contravening Rule 3(2) and 3(3) of the AP Civil Service (Conduct) Rules, 1964."

4. The Director General of Police. A.P. Hyderabad, further stated that the Superintendent of Police, Railways, Secunderabad, was appointed as Inquiring Authority to conduct enquiry against Charged Officer held the charge 'Proved". After provisionally agreeing with the findings of the inquiring authority, a Show Cause Notice along with the OE report was communicated to Charged Officers, calling for their Written Statements of defence. The Charged Officers acknowledged the Show Cause Notice and submitted their further representations. The Director General of Police, AP. Hyderabad, forwarded the file to Government along with all relevant material to obtain advice since the charge has a Vigilance angle.

5. In the meantime, Sri. K.Devakinandan, Office Superintendent. A.P.F.S.L, Hyderabad, retired from Government Service, on 31.08.2013, on attaining the age of Superannuation at A.P.F.S.L. Hyderabad, and hence Government have decided to proceed further, under Rule 9 of the A.P. Revised Pension Rules, 1980. Action against the remaining two officers, Sri. K.Suvarna Babu, Office Superintendent, Police Communications and Sri. K. Suryaprakash, R.P.C.479, of range office, who are in Government Service is dealt with separately.

6. Government after carefully examining the issue, provisionally decided to withhold 5% (five percent) of pension for two years, in respect of Sri. K. Devakinandan, Retired Office Superintendent, A.P.F.S.L. under Rule 9 of A.P. Revised Pension Rules, 1980, for the charges held proved against him. Accordingly, the Charged Officer was served with Show Cause Notice vide Memo 2nd read above to submit his explanation on the proposed penalty as required under A.P. Revised Pension Rules 1980. Accordingly he has submitted his explanation through the Director General of Police. A.P. Hyderabad, vide ref. 3rd read above with a request to drop the further action against him, for the reasons mentioned therein. Government have examined the same and decided to confirm the said provisional decision and the matter was referred to the A.P. Public Service Commission for its advice. The A.P. Public Service Commission, has agreed with the proposal of the Government, vide letter 5th read above, (copy enclosed).

7. Therefore, Government hereby withhold 5% (five percent) of pension of, Sri K. Devakinandan, Office Superintendent. A.P.F.S.L.(Retired) for a period of two years under Rule 9 of the A.P. Revised Pension Rules 1980.

8. The Director General of Police, Telangana, Hyderabad, is requested to take further action accordingly in the matter.

9. The records received through the letter 1st read above are returned herewith to the Director General of Police, Telangana, Hyderabad, and he is requested to acknowledge receipt of the same.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA).

AJAY MISHRA.

PRINCIPAL SECRETARY TO GOVERNMENT.(FAC).

To,

The Director General of Police, Telangana, Hyderabad (with records).
The Individual concerned (through the Director General of Police, Telangana, Hyderabad).

Copy to:

The Secretary, A.P. Public Service Commission, Nampally, Hyderabad, for
-information and record.
The Accountant General of Telangana Hyderabad.
The Director of Treasuries & Accounts, Telangana, Hyderabad.
SC/SF.

//FORWARDED:: BY ORDER//

SECTION OFFICER.